

March 3, 2021

The Trustees of the Village of Malcolm met on Wednesday, March 3, 2021 at 7:00 p.m. in open session at the Village Hall located at 137 East 2nd Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the February 18, 2021 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, March 1, 2021.

ROLL CALL

Little, Schweitzer, Tarr, Faubion, Lemkau

Absent: none

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Carmen Standley, Rose Pinkman, Dorothy Rippe, Allea Rivers, Aaron King, Larry Hudkins, Ben Day, Kathy Christensen, Allea Rivers.

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the February 3, 2021 meeting, seconded by Tarr. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of February 2021, with disbursements of \$34,964.41 and deposits of \$46,505.14. Motion seconded by Schweitzer. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Carmen Standley and Rose Pinkman from HBE were present to present the Village Audit for fiscal year 2019-2020.

After reviewing the Audit, Little made a motion to approve the 2019-2020 Audit report, Schweitzer seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Dorothy Rippe with the Malcolm Gardening Club was present to inform the Board about the \$10,450.00 grant that was awarded for the parks in Malcolm two years ago. This grant covered Lincoln Landscaping cutting down 6-8 big trees that were dying; several hundreds of dollars of new bushes; flowers; edging; mulch; identification tags for the different trees in the parks. The Gardening Club also received grants for around 25-30 new trees for both parks.

This year the Gardening Club is looking at edging the flower beds; placing the signs for the trees; mulching, and just general upkeep.

MAINTENANCE REPORT: A report was submitted and received by the Board.

Discussion continued regarding the purchase of a new mower using the old mower as a trade in. After further discussion, Little made a motion to purchase a new Kubota mower/zero turn from Nebraska Equipment, Inc. purchase price \$9,150.00 – trade in of \$4,500.00 – total purchase price \$4,650.00. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

PUBLIC HEARING: Annexation of Malcolm Road and Malcolm Methodist Church, Little opened the Public Hearing at 8:00 p.m. Ben Day, Larry Hudkins and Kathy Christiansen were present with concerns regarding the annexation of the Malcolm Methodist Church into the Village Limits. With no other comments or concerns, Little closed the Public Hearing at 8:13 p.m.

Board instructed David Solheim, Village Attorney to draft an Ordinance for the annexation of Malcolm Road and the Malcolm Methodist Church into the Village limits with a statement that no sidewalks will be required in front of the Church. The Ordinance will be reviewed and read at the next three regularly scheduled Board meetings before the passage of the Annexation.

PUBLIC HEARING: Liquor License for Genoa Restaurant and Market: Little opened the Public Hearing at 8:15 p.m. Aaron King was present to answer any questions or concerns. With no comments or concerns, Little closed the Public Hearing at 8:17 p.m. After further review, Little made a motion to approve the Liquor License for King Malcolm 1 LLC, trade name of Genoa Food Co., Previous trade name Genoa Restaurant and Bar. Schweitzer seconded the motion.

The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: KENO – form 50G & approval for KENO at Genoa Food Co.; Paperwork was submitted for Four Sons, Inc. to provide KENO at Geneo Restaurant and Bar. Four Sons, Inc. still has a current contract with the Village to run KENO at 126 West 2nd Street until September 30, 2022. After further review, Little made a motion to approve Geneo Restaurant and Bar to house KENO through Four Sons, Inc. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Allea Rivers was present to discuss the possibility of starting a Farmer's Market in Malcolm, with the possibility of using the park. Board has no issues with Allea starting a Farmer's Market in Malcolm, but there is a lot of research, regarding place, time, rules and regs, applications that needs to be addressed. Allea will collect the information and present again at the next meeting.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

Malcolm Clean-up day has been set for April 24, 2021 from 8:00 a.m. till 4:00 p.m.

Board reviewed the bid submitted from Tru-Green to aerate and overseed the parks in Malcolm. After further discussion, Little made a motion to approve the bid for \$1,550.00 to aerate and overseed both parks. Tarr seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Faubion, Lemkau; NAY: Schweitzer; Motion carried 4-1; Members absent: None.

BACKGROUND: Creek erosion at ball field: Jerad Little will call GANA to see when they can start the ballfield erosion project.

BACKGROUND: Shipping Containers: This item will be tabled until next month for further review.

BACKGROUND: Ordinance for fees in Malcolm: This item will be tabled until next month for further review.

BACKGROUND: Future Tech agreement: Board approved the agreement to be sent to Future Tech with date of termination May 31, 2023.

BACKGROUND: Resolution 2021-01 – To appoint a Community Liaisons Civil Defense Coordinator: This item will be tabled until next month's meeting for better clarification.

BACKGROUND: Resolution 2021-02 – LTAP Certificate of Completion – sign grant: A Resolution whereas, the Village of Malcolm and State entered into an agreement entitled "Replacement of Regulatory and Warning Sign" Project Program Agreement for the purchase of signs to replace damaged, obsolete, or substandard signs and posts in the Village of Malcolm, Agreement Number BL 1701, signed by State on April 5, 2017; and whereas, the Village of Malcolm agrees the Project has been completed by in accordance with the terms of the Program Agreement; and whereas the Program Agreement requires that the Village Board certify to State that the project has been properly completed. After further discussion, Little made a motion to accept Resolution 2021-02, Faubion seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 368 - Fireworks Application Brad Andelt: Following review of recommendation 368 and the application, Little made a motion to approve the Fireworks Application for Brad Andelt to sell fireworks in July, 2021. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 369 – Fireworks Application for Terry and Nadine Link: Following review of recommendation 369 and the application, Little made a motion to approve the Fireworks Application for Terry and Nadine Link to sell fireworks in July, 2021. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 367 – Building Permit for Michael & Penny Placke – new home: Following further review of recommendation 367, application and plans, Little made a motion to approve the building permit for Michael & Penny Placke to build a new home on Lot 29NW, S20, T11, R5

Acres 6PM (around 126th & West Bluff Road). Schweitzer seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 370 - Annexation of the Malcolm United Methodist Church & Malcolm Road – a Public Hearing was held on February 24, 2021 at the Planning Commission Meeting. This item was discussed earlier in the meeting during the Public Hearing.

With no further business to discuss, Little moved to adjourn at 10:15 p.m. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NYE: None; Motion carried 5-0; Members absent: None

Nadine Link, Village Clerk